United Nations CRPD/C/QAT/CO/1/Add.2

Convention on the Rights of Persons with Disabilities

Distr.: General
6 December 2017
English
Original: Arabic
Arabic, English, Russian and Spanish only

Committee on the Rights of Persons with Disabilities

Concluding observations on the initial report of Qatar

Addendum

Information received from Qatar on follow-up to the concluding observations*

[Date received: 22 December 2016]

* The present document is being issued without formal editing.

GE.17-21790 (E) 081217 111217

1721790

Please recycle

Date: 22 December 2016

(Kindly take note: important)

To: His Excellency Faisal bin Abdullah al-Hanzab
Permanent Representative of the State of Qatar to the United Nations Office at Geneva

Your Excellency,

I hereby refer to the communications that concluded with your letter No. 156693 of 11 October 2016 on follow-up to the recommendations contained in the concluding observations of the Committee on the Rights of Persons with Disabilities on the State's initial report.

With regard to the information requested on measures taken to implement the recommendations contained in paragraphs 30 and 60 of the concluding observations, I wish to state the following:

I. With regard to the recommendation in paragraph 30 to enact a prohibition of all corporal punishment, the State has taken the following measures:

1. Article 36 of the Constitution of the State of Qatar stipulates that: "Personal freedom shall be guaranteed. No person may be arrested, detained, searched, or have his freedom of residence or mobility restricted save in accordance with the law. No person shall be subjected to torture or degrading treatment, and torture shall be deemed to constitute a crime punishable by law."

2. Criminal Code No. 11 of 2004 contains a number of provisions aimed at implementing the Constitution of the State of Qatar. They prohibit infringements of personal freedom and subjection of individuals to torture or degrading treatment, in accordance with the Convention against Torture and the Committee's recommendations. The following are some of the relevant provisions of the Criminal Code:

- The amendment to the Criminal Code promulgated by Act No. 8 of 2010. Articles 159 and 159 bis prohibit and criminalize the use of force or threats against an accused person, a witness or an expert for the purpose of obtaining a confession to an offence, coercing the person into making a statement or providing information about an offence, or covering up an offence, as well as the use or instigation of torture, and consent or acquiescence thereto.
- It should be underscored that the aforementioned provisions are consistent with the provisions of article 1 of the Convention against Torture concerning the definition of torture.
- Articles 318 and 322 of the Criminal Code prohibit the commission of offences against personal freedom and dignity, including illegal abduction, arrest, detention or deprivation of liberty, as well as exploitation of a person or forced labour, with or without a salary.

3. Article 40 of the Code of Criminal Procedure promulgated by Act No. 23 of 2004 stipulates that: "No one may be arrested or imprisoned save pursuant to a warrant issued by the competent authorities in accordance with the conditions laid down by law. Such persons shall be treated in a manner conducive to the preservation of their human dignity and may not be subjected to physical or mental harm. Law enforcement officers shall inform the accused of his right to remain silent and to contact a person of his choice."

4. Act No. 15 of 2011 on combating trafficking in persons contains important provisions requiring States to protect and guarantee the physical and psychological integrity of victims, to attend to their health, educational and social needs, and to establish appropriate conditions for their rehabilitation and reintegration into society, taking into account their needs, their human dignity, their age and their gender.

II. With regard to the recommendation in paragraph 60 to establish a high-level framework authority at the ministerial level to coordinate matters relating to the implementation of the Convention across all sectors and between different levels of government, the Council of Ministers agreed at its twelfth meeting of 2015 held on 16 April 2015 on a bill concerning the rights of persons with disabilities. The bill, entitled "Establishment of a national committee for persons with disabilities" provides for the coordination of matters relating to persons with disabilities across all sectors and between different levels of government. In addition, the aforementioned bill provides for the implementation of the provisions of the Convention on the Rights of Persons with Disabilities. In the same context and in light of the outcome of the meetings of the discussion group on the concluding observations of the Committee on the Rights of Persons with Disabilities, a memorandum from His Excellency the Minister of Administrative Development, Labour and Social Affairs was submitted to the General Secretariat of the Council of Ministers with the following requests:

1. To refer the concluding observations of the Committee on the Rights of Persons with Disabilities to the Legislation Department of the General Secretariat of the Council of Ministers with a view to obtaining its views on the Committee's recommendation to enact a prohibition of all corporal punishment, and on implementation of paragraphs 12 and 19 of the recommendations of the Committee against Torture, particularly with respect to persons with disabilities;

2. To recommend to the Council of Ministers that it establish a National Committee on the Rights of Persons with Disabilities, chaired by a representative of the Ministry of Administrative Development, Labour and Social Affairs and composed of the following members:

   - A representative of the Ministry of the Interior;
   - A representative of the Ministry of Foreign Affairs;
   - A representative of the Ministry of Culture and Sports;
   - A representative of the Ministry of Justice;
   - A representative of the Ministry of Transport and Communications;
   - A representative of the Ministry of Education and Higher Education;
   - A representative of the Ministry of Municipalities and the Environment;
   - A representative of the Ministry of Public Health;
   - A representative of the National Human Rights Commission;
   - A representative of the Qatar Foundation for Social Work;
   - A representative of the Qatari Society for the Rehabilitation of Persons with Special Needs.

It should be noted that the State guarantees the participation of organizations of persons with disabilities in the above-mentioned National Committee.

III. With regard to the recommendation in paragraph 60 to provide the appropriate human and financial resources to the National Human Rights Commission and to ensure its continued adherence to the principles relating to the status of national institutions for the promotion and protection of human rights, article 17 of Legislative Decree No. 17 of 2010 on the organization of the National Human Rights Commission stipulates that the Commission's financial resources shall comprise:

- The funds allocated to it by the State;
- Subsidies, donations, grants, endowments and bequests provided to it by national authorities.

These provisions confirm the State's support for the National Commission responsible for the promotion and protection of human rights.

Kindly take note, Your Excellency, and take whatever action you see fit.

Accept, Your Excellency, the assurances of my highest consideration.

Mohammed bin Youssef Jassim Jaber **Al-Thani**
Deputy Director of the Human Rights Department

Copies sent to:

The Office of the Minister for Foreign Affairs

The Office of the Minister of State for Foreign Affairs

The Office of the Secretary-General